Govt. II-87—100,000—41.

Home (1952) Department

(7)

MS SERIES.

G.O. No. 4575

Dated 22.12.1952

[Despatch Abstract.]

MOTOR VEHICLES - Transport vehicles in the Travancore-Cochin State Traversing - Fort Cochin - Exemption from the payment of tax reviable under the Madras Motor Vehicles Taxation Act, 1931 - Transport Commissioner's proposal - Negatived - Rates of tax payable in Fort Cochin area - Notification issued in G.O.Ms.No.4553, Home, dated 18-10-41 - Amended.

GOVERNMENT OF MADRAS.

ABSTRACT.

Motor Vehicles - Transport vehicles in the Travancore - Cochin State Traversing - Fort Cochin - Exemption from the payment of tax, leviable under the Madras Motor Vehicles Taxation Act, 1931 - Transport Commissioner's proposal - Negatived - Rates of tax payable in Fort Cochin area - Notification issued in G.O.Ms. No.4553, Home, dated 15-10-41 - Amended.

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HOME DEPARTMENT.

G.O.Ms.No.4575. Dated the 22nd December, 1952.

Read the following:-

G.O.Ms.No.6001, Home, dated 10-12-1941.

G.O.Ms.No.4553, Home, dated 15-10-1941.

G.O.Ms.No.2574, Home, dated 24-6-1949.

Letters from the Transport Commissioner No.46443/E2/51, dated 9-3-1952 and No.46443/E2/52, dated 23-8-1952.

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ORDER:

With a view to provide an incentive to the operators in the Travancore-Cochin State to extend transport facilities to Fort Cochin, the Transport Commissioner has proposed that all commercial vehicles in that State may be exempted from the payment of tax under the Madras Motor Vechcles, Taxation Act, 1931. The analogy of the concession granted in respect of certain vehicles of Pondicherry in G.O. Ms.No.6001, Home, dated 10-12-41 pointed out by the Transport Commissioner in support of his proposal has not bearing on the present case as the Provisions was based on a reciprocal arrangement which does not exist in this case. Under G.O.Ms.No.2574, Home, dated 24-6-1949, transport operators in the Travancore-Cochin State who ply their vehicles in the Fort Cochin area are required to pay tax only at the reduced rates applicable for inter-State routes. In the circumstances, the Government do not accept the proposal of the Tranport Commissioner for the grant of complete exemption in respect of transport vehicles of the Travancore Cochin State.

2. The Transport Commissioner has requested that the position regarding the rate s of tax to be collected under the Madras Motor Vehicles Taxation Act, 1931 in respect of a stage carriage plying in Travancore-Cochin State and also in Fort Cochin may be clarified. According to G.O.Ms.No.4553, Home, dated 15-10.1941, tax payable in respect of any motor vehicle used within the limits of Fort Cochin and not in other parts of the State is one half of the tax due in respect of

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buses plying in other arears of the State i.e., one half of Rs. 30/- per seated passenger and one half of Rs. 10/- per standing passenger. These rates apply only to motor vehicles plying exclusively within the Fort Cochin area and cannot there be applied to vehicles plying between Fort Cochin and Travencore-Cochin State. The concessional rates laid down for Inter State buses are applicable to such cases ie.e., Rs. 17/- per seated passenger and Rs. 6/- per standing passenger per quarter. The Transport Commissioner's presumption that only one half of these rates should be charged in respect of buses plying between Travancore Cochin and Fort Cochin with reference to*G.O.Ms.No.2574, Home, dated 24-6-1949 is not correct. The two Governments orders are independent of each other and the notification issued in G.O.Ms.No.4553, Home, dated 15-10-1941 is quite clear on the point. In order however to make the position clear, the following amendment is issued to the notification appended to G.O.Ms.No.4553, Home, dated 15-10-1941.

3. The following notification will be published in the Fort St. George Gazette:-

the G.OmMs.No.4553, Home, dated 15-10-1941 and

NOTIFICATION.

In exercise of the powers conferred by section 11(1) of the Madras Motor Vehicles Taxation Act, 1931 (Madras Act III of 1931), the Governor of Madras hereby makes the following amendment to Home Department Notification No. 1166, dated 15-10-41 published at page 1231 of Part I of the Fort St. George Gazette, dated 21-10-41.

AMENDMENT.

In the said notification, for the words "not in other parts of the State" the words "not in other parts of the Indian Union" shall be substituted.

(BY ORDER OF THE GOVERNOR)

(Sd.) M. GANESH RAO,
ADDITIONAL DEPUTY SECRETARY TO GOVERNMENT.

To

The Secretary, Central Road Traffic Board, Madras-8.
The Transport Commissioner, Madras-8.
All Collectors except the Collector of Madras.
All Licensing Officers through the Collectors concerned.
The Commissioner of Police, Madras-8.
The Inspector General of Police, Madras.
The Board of Revenue (Land Revenue).

P.T.O

To

The Inspector of Municipal Councils and Local Boards, Madras.
The Examiner of Local Fund Accounts.
The Accountant-General, Madras, through the Finance Department.
The Superintendent, Government Press for publication of the notification in the Fort St, George Gazette and supply of 600 copies of notification.
The Local Department.
The Public Works (Information and Publicity) Department

Copy to

The Secretary, Automobile Association of Southern India, Madras.
The Chairman, Madras Motor Vehicles and Allied Merchants' Association.
The Secretary, Indian Roads and Transport Development, Association, Madras.
The Secretary Provincial Bus Owners' Association, Madras.
The Commander, Madras District, Madras.
The Secretary to the Government of India, Ministry of Transport, New Delhi.
The General Secretary, Andhra Provincial Motor Union Congress, Vijayawada.
The Secretary to the Government of India, Ministry of Communications, New Delhi.
The Secretary, Madras Bus Passengers Association, Sevashram, Madras.

(TRUECOPY)

R. Mirzaraingam 11-8-56
SUPERINTENDENT.
MADRAS RECORD OFFICE.

24-7-1956.

RN/24-7.